

PATENT
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Typed or Printed Name

Kimberly W. Zuehlke

Signature

Kimberly W. Zuehlke

**RESPONSE TO RESTRICTION
REQUIREMENT**

Address to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Date

9/21/01

Application No.

09/608,713

Confirmation No.

2056

Filing Date

June 30, 2000

First Named Inventor

Hideo Ago et al.

Examiner

B. Hutson

Group Art Unit

1652

DOCKET NO.

SHIM007

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Sir:

This is in response to the Restriction Requirement dated August 28, 2001. The Examiner therein required election of one of the following groups of claims:

- Group I: Claims 19-27, drawn to a HCV polymerase polypeptide;
- Group II: Claim 28, drawn to a DNA encoding an HCV polymerase;
- Group III: Claims 29 and 32, drawn to a method for determining the three-dimensional structural coordinates of a variant of HCV polymerase;
- Group IV: Claims 30-33, drawn to a method of identifying an HCV polymerase; and
- Group V: Claims 34-36, drawn to HCV polymerase inhibitors..

Applicants hereby elect to prosecute the claims of Group IV, claims 30-33, with traverse. As stated in the MPEP §803, if search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions. It is Applicants' position that it would not be unduly burdensome to perform a search on claims 1-29 together. Accordingly, Applicants traverse the restriction requirement.

Applicants expressly reserve the right under 35 USC §121 to file a divisional application directed to the non-elected subject matter or any subject matter disclosed in the application during the pendency of this application.

Atty Dkt. No.: SHIM007
USSN: 09/608,713

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815, order number SHIM007.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date: 2/14/2009

By: Karl Bozicevic

Registration No. 28,807

BOZICEVIC, FIELD & FRANCIS LLP
200 Middlefield Road, Suite 200
Menlo Park, CA 94025
Telephone: (650) 327-3400
Facsimile: (650) 327-3231

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Name (Print Name) Kimberly W. Zuehlke Signature Kimberly W. Zuehlke Date 9/21/01

OCT 03 2001
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TRANSMITTAL

☐ Small Entity

☒ Large Entity

Application Number 09/608,713
 Confirmation Number 2056
 Filing Date June 30, 2000
 First Named Inventor Hideo Ago et al.
 Examiner B. Hutson
 Group Art 1652
 Attorney Docket No. SHIM007

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ENCLOSED:

☒ Restriction Requirement

☐ 37 CFR §

☒ Pages 2

Claims	No. of claims as filed or after amendment	Most claims previously paid for	# Extra Claims	Rate	Totals
Total	18	20	0		\$ -
Independent	12	12	0		\$ -
Multiple					
Total Extra Claim Fees					\$ -

Fee

☐ Applicants Petition for an Extension of time from _____ to _____

A month extension was previously filed and paid for thereby reducing the basic fee

☐ Response to File Missing Parts (with copy of formalities letter)

☐ Filing Fee

☐ Executed Declaration

☐ Other _____

Pages _____

Fee _____
 Surcharge Fee _____
 Fee _____
 Fee _____
 Fee _____
 Fee _____

Subtotal \$ -

☐ Information Disclosure Statement

☐ PTO Form 1449

☐ _____ Copies of Cited References

☐ Other _____

Pages _____

Fee

Subtotal \$ -

☐ Response to Notice to Comply (with copy of Notice to Comply)

☐ Sequence Listing Certification

☐ Paper Copy of Sequence Listing

☐ Diskette in computer-readable format

☐ Other _____

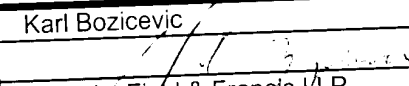
Pages _____

Fee

<input type="checkbox"/> Terminal Disclaimer		Fee	
<input type="checkbox"/> Appeal to Board of Appeals and Appeal Communication to Group		Fee	
<input type="checkbox"/> Notice of Appeal	Pages		Fee
<input type="checkbox"/> Appeal Brief in Triplicate	Pages		Fee \$ -
<input type="checkbox"/> Reply Brief	Pages		Subtotal \$ -
<input type="checkbox"/> Other Enclosures and/or Fees		Fee	
<input type="checkbox"/> Change of Correspondence Address			
<input checked="" type="checkbox"/> Return Receipt Postcard			
TOTAL FEES			\$ -

The Commissioner is authorized to charge any fees which may be required, or credit any overpayment to Deposit Account 50-0815. If additional fees are required, including extensions of time, please consider this a petition therefore. A duplicate copy of this transmittal is enclosed.

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

Name (Print/Type)		Karl Bozicevic		Registration No.		28,807	
Signature				Date		Sept 21, 2001	
Firm Name		Bozicevic, Field & Francis LLP		Address		200 Middlefield Road, Suite 200	
City		Menlo Park		State		California	
Telephone - Direct Dial		650-327-3400		Facsimile		650-327-3231	
				zip		94025	

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